

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARRIET HAREWOOD,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION; ROBERT MERCEDES, in his  
Capacity as PRINCIPAL OF MIDDLE SCHOOL 390  
and INDIVIDUALLY; ANDREA VARONA, in her  
Capacity as ASSISTANT PRINCIPAL OF MIDDLE  
SCHOOL 390 and INDIVIDUALLY,

**DEFENDANTS' NOTICE  
OF MOTION FOR  
SUMMARY JUDGMENT**

18 Civ. 5487 (KPF)(KHP)

Defendants.

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**PLEASE TAKE NOTICE** that, upon the Defendants' Statement of Undisputed Facts Pursuant to Rule 56.1 of the Local Civil Rules of this Court, dated May 22, 2020; the Declaration of Assistant Corporation Counsel Isaac S. Baskin, dated May 22, 2020, and the exhibits annexed thereto; Defendants' Memorandum of Law in Support of Their Motion for Summary Judgment, dated May 22, 2020; and upon all prior pleadings and proceedings had herein, Defendants will move this Court, before the Honorable Katharine H. Parker, United States Magistrate Judge, Southern District of New York, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, on a date and time to be determined by the Court, for an order and judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting Defendants' motion for summary judgment on the grounds that there is no genuine issue of material fact requiring a trial, dismissing the second amended complaint in its entirety, entering judgment for Defendants, and granting Defendants costs, fees, and expenses together with such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's order, dated April 10, 2020, answering papers, if any, shall be served on or before June 30, 2020, and reply papers shall be served on or before July 24, 2020.

Dated:           New York, New York  
                  May 22, 2020

**JAMES E. JOHNSON**  
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By: \_\_\_\_\_ /s/  
                  Isaac S. Baskin  
                  Assistant Corporation Counsel

To:   **GLASS HARLOW & HOGROGIAN LLP**  
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Attn: Bryan D. Glass  
(By ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARRIET HAREWOOD,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,  
et al.,

Defendants.

**DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT**

**JAMES E. JOHNSON**

*Corporation Counsel of the City of New York*

Attorney for Defendants  
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New York, New York 10007-2601

*Of Counsel:* Isaac S. Baskin

*Tel:* (212) 356-1654

*Matter No.:* 2018-048112

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 20\_.*

*Signed .....*

*Attorney for .....*